



City of NORFOLK


C: Dir., Department of City Planning

To the Honorable Council
City of Norfolk, Virginia

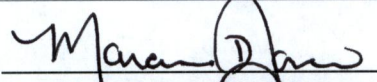
April 14, 2015

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Special exceptions to operate a convenience store, 24-Hours (with fuel sales) and for the sale of alcoholic beverages for off-premises consumption at 2475 E. Little Creek Road – 7-Eleven**

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 5/6

Approved: 
Marcus D. Jones, City Manager

Item Number: **R-3**

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **6 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Special exceptions – to operate a 24-hour convenience store with alcoholic beverages for off-premises consumption.
- IV. **Applicant:** Stephen Romine
- V. **Description**
 - This request would allow the construction of a new 24-hour 7-Eleven convenience store with gasoline sales.
 - The request would also permit the sale of beer and wine for off-premises consumption.
 - The property is currently developed with a gas station and convenience store that does not operate past midnight.
 - All existing improvements will be demolished.

	Current (Fas Fuel)	Proposed (7-Eleven)
Hours of Operation	6:00 a.m. until 12:00 midnight, Seven days a week	24-hours a day, Seven days a week
Hours for the Sale of Alcoholic Beverages for Off-Premise Consumption	6:00 a.m. until 12:00 midnight, Seven days a week	Same

Staff point of contact: Chris Whitney at 823-1253, chris.whitney@norfolk.gov

Attachments:

- Staff Report to CPC dated March 26, 2015 with attachments
- Proponents and Opponents
- Ordinances



City of NORFOLK

Planning Commission Public Hearing: March 26, 2015

Executive Secretary: George M. Homewood, AICP, CFM *GH*

Staff: Chris Whitney, CFM *CW*

Staff Report	Item No. 11	
Address	2475 East Little Creek Road	
Applicant	7-Eleven	
Requests	Special Exceptions	<ul style="list-style-type: none">• Convenience store, 24-hours (with fuel sales)• Sale of alcoholic beverages for off-premises consumption
Property Owner	Syed Haider (H & H Gasco, LLC)	
Site Characteristics	Site Area	44,012 sq. ft.
	Zoning	C-2 (Corridor Commercial)
	Neighborhood	East Lynne/Saratoga
	Character District	Suburban
Surrounding Area	North	C-2: Precise Auto Care
	East	R-11 (Moderate Density Multi-Family): Andover Apartments
	South	C-2: Lee's Tire Showroom
	West	C-2: Taco Bell



A. Summary of Request

- This request would allow the construction of a new 24-hour 7-Eleven convenience store with gasoline sales.
- The request would also permit the sale of beer and wine for off-premises consumption; single servings will not be allowed.
- All existing improvements will be demolished.
- This agenda item was originally scheduled for the February 26, 2015 Planning Commission public hearing; due to inclement weather, the hearing was cancelled and all agenda items have been rescheduled for the March 26, 2015 public hearing.

B. Plan Consistency

The proposed special exceptions are consistent with *plaNorfolk2030*, which designates this site as commercial.

C. Zoning Analysis

i. General

- The proposed uses are permitted in the C-2 district by special exception.
- The property is surrounded by commercial uses and an apartment complex to the east across Azalea Garden Road.
- The property is currently developed with a gas station and convenience store that does not operate past midnight.
- In June of 2012 the current business, Fas Fuel, was granted special exceptions for a gas station and the sale of alcohol for off-premises consumption.
- A condition of their gas station special exception allowed the installation of planters to block the two access driveways closest the intersection in lieu of closing them.
- The applicant was given two years to redevelop the site and replace the planters with permanent driveway closures.
- A site plan was submitted and approved in June of 2014 for redevelopment of the site.
- 7-Eleven is proposing to redevelop the site in substantially the same manner as the previously approved site plan, including the closures of the two driveways closest to the intersection.

	Current (Fas Fuel)	Proposed (7-Eleven)
Hours of Operation	6:00 a.m. until 12:00 midnight, Seven days a week	24-hours a day, Seven days a week
Hours for the Sale of Alcoholic Beverages for Off- Premise Consumption	6:00 a.m. until 12:00 midnight, Seven days a week	Same

- Special exception history:

City Council Approval	Applicant	Changes
2012	H & H Gasco, LLC	<ul style="list-style-type: none"> • Gas Station (Sales Only) • Sale of Alcoholic Beverages for Off-Premises Consumption
Pending	7-Eleven	<ul style="list-style-type: none"> • Convenience store, 24-hours (with fuel sales) • Sale of Alcoholic Beverages for Off-Premises Consumption

ii. Parking

- A site plan for a convenience store with fuel sales was approved in 2014.
- The proposed development of this site is in compliance with the approved site plan, which included a parking layout.
- Two bicycle parking spaces will be provided.

iii. Flood Zone

The property is in the X (Low to Moderate) Flood Zone, which is a low risk flood zone.

D. Transportation Impacts

- Institute of Transportation Engineers (ITE) figures estimate that this use will generate 859 new vehicle trips per day.
- Based upon ITE data, the current gas station use on this site is expected to generate 1,686 weekday trips while the proposed convenience store with gasoline sales would be expected to generate 2,545 trips on weekdays.
- East Little Creek Road adjacent to the site is not identified as a severely congested corridor in the current update to regional Hampton Roads Congestion Management analysis.
- The site is near frequent transit service with Hampton Roads Transit bus route 21 (Little Creek) operating along East Little Creek Road directly adjacent to the site.
- The two existing access points closest to the intersection will be closed as part of the site redevelopment; this will improve access management and traffic operation at the intersection.

E. Impact on the Environment

- The development of the site will require approval through the Site Plan Review process and will meet City development regulations, including landscaping and stormwater requirements.
- The conditions attached require the development of a hazardous materials management plan which, among other things, must ensure that the design of the facility will prevent both infiltration of petroleum-based and other hazardous liquids into the soil and groundwater and transportation off-site by stormwater runoff.

F. Impact on Surrounding Area/Site

The redevelopment of a site from a gas station/convenience store to a convenience store with 24 hour retail and fuel sales and should not have a negative effect on the surrounding area, where commercial uses are directly adjacent.

G. Payment of Taxes

The owner of the property is current on all real estate taxes.

H. Civic League

- Letters were sent to the East Lynne/Saratoga and Camellia Shores Civic Leagues on February 3.
- The applicant contacted the East Lynne/Saratoga Civic League on January 30, 2015 and plans to attend their meeting on March 5, 2015.
- The applicant contacted the Camellia Shores Civic League on January 30, 2015 and February 9, 2015.

I. Communication Outreach/Notification

- Legal notice was posted on the property on January 20.
- Letters were mailed to all property owners within 300 feet of the property on February 12 and March 12.
- Legal notification was placed in *The Virginian-Pilot* on February 12 and 19 and March 12 and 19.

J. Recommendation

Staff recommends that the special exception requests be **approved** subject to the conditions shown below:

Conditions – 24-Hour Convenience Store (with fuel sales)

- (a) The hours of operation for the facility may be 24 hours a day, seven days a week.
- (b) The site shall be generally designed in accordance with the conceptual site plan, as prepared by "Blakeway Corporation" dated March 23, 2015, attached hereto and marked as "Exhibit A" subject to any required revisions made during the Site Plan Review process.

- (c) The site shall be developed to reflect the general massing, materials and design for the north, south, east and west building elevations as depicted in the conceptual elevations plan attached hereto and marked as "Exhibit B," entitled "Review Board Building, Dumpster Enclosure and Canopy Elevations" dated March 22, 2015, as prepared by K2M Design, Inc., subject to any required revisions made during the Site Plan Review and building permitting processes.
- (d) A landscaping plan showing a ten (10) foot wide minimum landscaped buffer along the lot frontage on East Little Creek Road and a five (5) foot wide minimum landscaped buffer along Azalea Garden Road shall be provided to the Department of City Planning for review and approval.
- (e) Landscaping shall be installed and maintained at the base of any freestanding sign in accordance with the provisions of section 16-6 of the *Zoning Ordinance of the City of Norfolk*, 1992 (as amended).
- (f) The curb cut located along the western line of Azalea Garden Road directly adjacent to the intersection of Azalea Garden Road and East Little Creek Road shall be closed and landscaped.
- (g) The curb cut located along the southern line of East Little Creek Road directly adjacent to the intersection of Azalea Garden Road and East Little Creek Road shall be closed and landscaped.
- (h) A minimum of two (2) bicycle parking spaces shall be provided on-site.
- (i) The building shall meet a minimum fenestration requirement (area of ground floor façade that is transparent to a minimum depth of 5 feet into the building) of 50% for the East Little Creek Road façade and 25% for the Azalea Garden Road façade.
- (j) Notwithstanding any other regulations pertaining to temporary window signage within Chapter 16 of the *Zoning Ordinance of the City of Norfolk*, 1992 (as amended), no less than 85% of the glass areas of the ground floor of the building shall be transparent as defined within the *Zoning Ordinance*.
- (k) A hazardous materials management plan shall be prepared and submitted to the Department of City Planning, detailing the methods to be employed in order to mitigate the infiltration of petroleum-based materials or waste associated with the dispensing of fuel to occur on the property to mitigate the potential for hazardous liquid absorption into groundwater or surface waters. Once approved, the plan shall be fully and continuously implemented.
- (l) All non-conforming fences and signs on the site shall be removed.
- (m) All bollards on the site shall be painted and maintained free of visible corrosion.
- (n) No vehicle associated with this facility shall be parked within any sight triangle, public right-of-way or on any unimproved surface.

- (o) On-site lighting shall be directed and shielded so as not to cast glare onto any adjacent residential properties or public right-of-way.
- (p) Dumpsters shall be gated and not visible from any public right-of-way, and will be screened with masonry walls that complement the current existing building.
- (q) The facility shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (r) During all hours of operation, the facility operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (s) The property shall be kept in a clean and sanitary condition at all times.
- (t) The facility shall maintain a current, active business license at all times while in operation.
- (u) No business license shall be issued until conditions (b), (c), (d), (e), (f), (g), (h) and (k) have all been implemented fully on the site.
- (v) No business license shall be issued until a certificate of occupancy has been issued for the building.

Conditions – Sale of Alcoholic Beverages for Off-Premises Consumption

- (a) The hours of operation for the sale of alcoholic beverages for off-premises consumption shall be from 6:00 a.m. until 12:00 a.m., seven days a week.
- (b) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier.
- (c) No alcoholic beverages other than those defined as "beer," "wine," "wine cooler," or "low alcohol beverage cooler," as defined by state law, shall be sold.
- (d) No alcoholic beverage having more than 21% alcohol by volume shall be sold.
- (e) No beer shall be sold in any package containing fewer than six (6) bottles or cans and no wine shall be sold in containers less than 375 ml each.

- (f) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to any such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (g) Any requirements, limitations or restrictions imposed by the Virginia ABC Commission or by any provision of Virginia law upon this establishment which are more stringent than the requirements of this Special Exception shall be effective and binding. Any violation of such limitation requirement or restriction imposed by the ABC Commission shall be deemed a violation of this Special Exception. The Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from limitations, requirements of restrictions imposed by the ABC Commission or by State law.
- (h) A copy of this Adult Use Special Exception ordinance and "Exhibit A" (including the floor plan) shall be available on site at all times for inspection, and a notice indicating that this Adult Use Special Exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.
- (i) At all times, all temporary window signage must comply with the applicable regulations of Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Signs."

Attachments

- Location Map
- Zoning Map
- 1000' radii map of similar ABC establishments
- Applications
- Elevations
- Perspective Rendering
- Letter to East Lynne/Saratoga Civic League
- Letter to Camellia Shores Civic League

Proponents and Opponents

Proponents

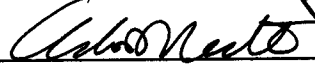
Ray W. King – Representative
999 Waterside Drive, Suite 2100
Norfolk, VA 23510

Steve Blevins, PE
770 Independence Circle
Virginia Beach, VA 23455


Opponents

None

Form and Correctness Approved: 

By 
Office of the City Attorney

Contents Approved: 

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT A CONVENIENCE STORE, 24-HOURS (WITH FUEL SALES) KNOWN AS "7-ELEVEN" ON PROPERTY LOCATED AT 2475 EAST LITTLE CREEK ROAD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit the operation of a Convenience Store, 24-hours (with fuel sales) known as "7-Eleven" on property located at 2475 East Little Creek Road. The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 215 feet, more or less, along the southern line of East Little Creek Road and 166 feet, more or less, along the western line of Azalea Garden Road; premises numbered 2475 East Little Creek Road.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The site shall be developed in accordance with the conceptual site plan prepared by Blakeway Corporation dated March 23, 2015, attached hereto, and marked as "Exhibit A", subject to any revisions required by the City to be made during the site plan review process.
- (b) The building shall be designed in accordance with the elevation plans prepared by K2M Design, Inc., entitled "Review Board Building, Dumpster Enclosure and Canopy Elevations," dated March 22, 2015, attached hereto and marked as "Exhibit B".
- (c) A ten (10) foot wide minimum landscaped buffer along the lot frontage on East Little Creek Road and a five (5) foot wide minimum landscaped buffer along Azalea Garden Road shall be installed and

maintained.

- (d) Landscaping shall be installed and maintained at the base of any freestanding sign in accordance with the provisions of section 16-6 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended).
- (e) The northernmost curb cut located along the western line of Azalea Garden Road and easternmost curb cut located along the southern line of East Little Creek Road shall be closed and landscaped.
- (f) A minimum of two (2) bicycle parking spaces shall be provided on-site.
- (g) The building shall meet a minimum fenestration requirement (area of ground floor façade that is transparent to a minimum depth of 5 feet into the building) of 50% for the East Little Creek Road façade and 25% for the Azalea Garden Road façade.
- (h) All non-conforming fences and signs on the site shall be removed.
- (i) All bollards on the site shall be painted and maintained free of visible corrosion.
- (j) On-site lighting shall be directed and shielded so as not to cast glare onto any adjacent residential properties or public right-of-way.
- (k) Dumpsters shall be gated and not visible from any public right-of-way, and will be screened with masonry walls that complement the current existing building.
- (l) During all hours of operation the establishment operator shall be responsible for maintaining the property, those portions of public rights-of-way improved by sidewalk, and those portions of any parking lot adjacent to and used by customers of the premises regulated by the Special Exception so as to keep such areas free of litter and refuse.
- (m) At all times, all temporary window signage must comply with the applicable regulations of Chapter

16 of the Zoning Ordinance of the City of Norfolk, 1992, entitled "Signs."

- (n) The establishment shall maintain a current, active business license at all times while in operation.
- (o) No public telephone(s) shall be permitted on the exterior of the property.
- (p) No business license shall be issued until condition (a), (b), (c), (d), (e), and (h) have been implemented in their entirety.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection,

refuse disposal, parks, libraries, and schools;

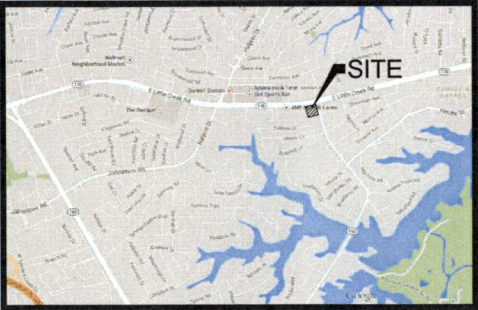
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the City as a whole;
- (j) The proposed use and development complies with all additional imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

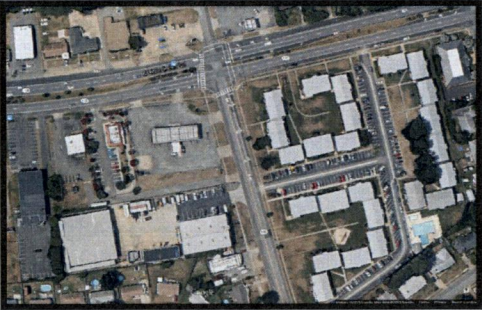
ATTACHMENTS:

Exhibit A (1 page)
Exhibit B (1 page)

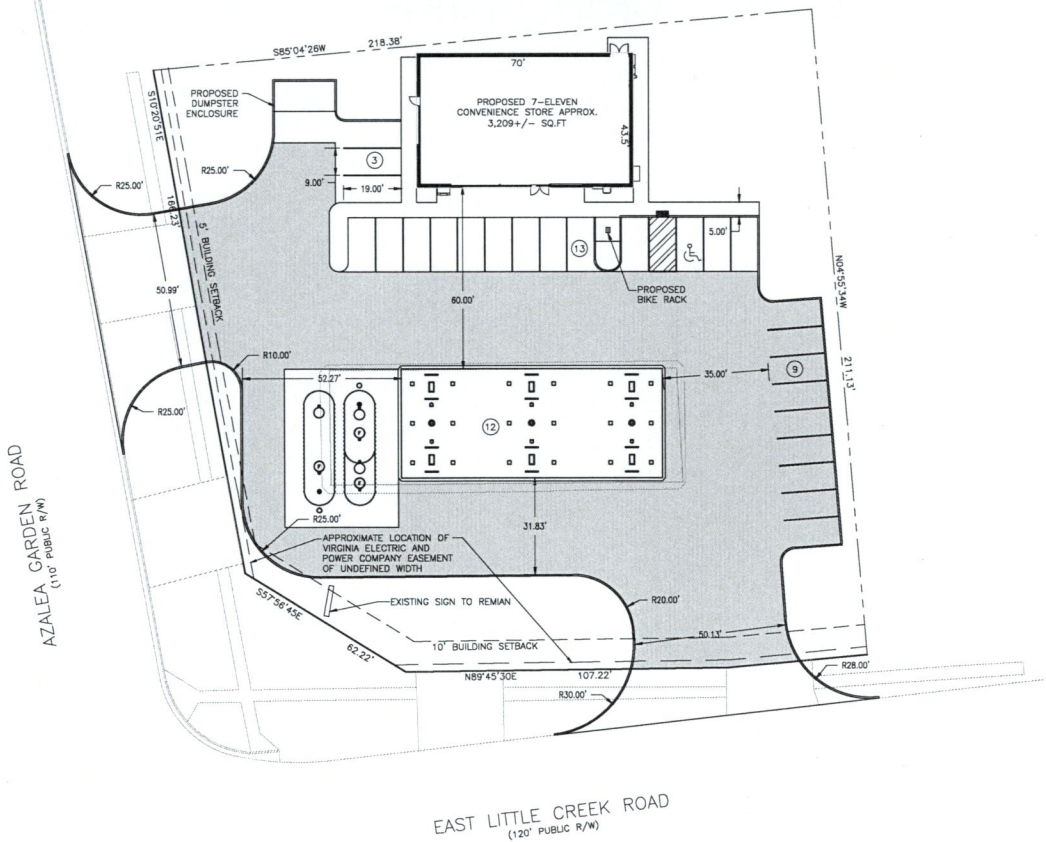
LITTLE CREEK & AZALEA



VICINITY MAP
1"=1,000'



AERIAL MAP
1"=100'



SITE INFORMATION

OWNER: H & H GASCO, LLC
2475 E. LITTLE CREEK RD
NORFOLK, VA 23518

DEVELOPER: VERAD REAL ESTATE INC.
1211 SOUTH WHITE CHAPEL BLVD.
SOUTH LANE, TEXAS 76052
CONTACT: MR. DEREK HOPKINS
PHONE: 502.523.7436

DESIGNER: BLAKEMAN CORPORATION
770 INDEPENDENCE CIRCLE, SUITE 100
VIRGINIA BEACH, VIRGINIA 23455
PH # 757-226-0081 FAX # 757-226-8765

GENERAL NOTES

1. THE SITE IS DESIGNED IN ACCORDANCE WITH C-2 ZONING REQUIREMENTS OF THE CITY OF NORFOLK ZONING ORDINANCE.
2. THIS CONCEPT ASSUMES THAT THERE WILL BE A REDUCTION IN IMPERVIOUS AREA AND THAT STORMWATER IMPROVEMENTS WILL BE LIMITED ON-SITE POLLUTANT REMOVAL.
3. PROPERTY LINES HAVE BEEN COMPILED FROM OLD SITE PLANS AND ARE APPROXIMATE. A COMPLETE SURVEY OF THE PROPERTY SHOULD BE COMPLETED BEFORE FINAL SITE PLAN DESIGN.
4. THIS CONCEPT WAS BASED ON THE CONCEPT PROVIDED BY VERAD REAL ESTATE, INC AND DOES NOT ACCOUNT FOR THE LOCATION OF ANY EASEMENTS THAT MAY ENCUMBER THE PROPERTY. A COMPLETE ALTA SURVEY OF THE PROPERTY SHOULD BE COMPLETED BEFORE FINAL SITE PLAN DESIGN.
5. SITE WILL REQUIRE A SPECIAL EXCEPTION APPROVAL FOR 24 HR SALES AND ALCOHOL SALES.

SITE ANALYSIS			
PROPOSED PARCEL AREA:	42,790.8 sq ft	0.988 ac.	
PROPOSED ZONING:	C-2		
SETBACKS:	REQUIRED		
FRONT:	10'		
RIGHT SIDE:	10'		
LEFT SIDE:	10'		
REAR:	10'		
PARKING:			
REQUIRED:	22 SPACES		
PROVIDED:	25 SPACES		
	(1 PER 125 SF)		



GRAPHIC SCALE



Blakeway Corp
Blakeway Corporation
770 INDEPENDENCE CIRCLE, SUITE 100
VIRGINIA BEACH, VIRGINIA 23455
PH: 757-226-0081 FAX: 757-226-8765

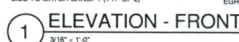
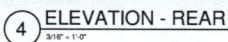
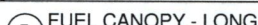
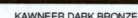
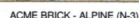
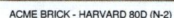
DATE	REVISION	BY	DATE
3/23/15	REVISED PER OWNER		

PROJECT NO.	17-15
LOCATION	LITTLE CREEK & AZALEA 7-ELEVEN
DRAWN BY	GP
CHECKED BY	GP
DESIGNED BY	SMB
DATE	3/23/15
PROJECT FILE	
SHEET NO.	SEP-1.0
SPECIAL EXCEPTION PLAN	
SITE ADDRESS	LITTLE CREEK ROAD NORFOLK, VA

LITTLE CREEK & AZALEA

LITTLE CREEK AND AZALEA

LITTLE CREEK AND AZALEA



Form and Correctness Approved: 

Contents Approved: CW

By 
Office of the City Attorney

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION AUTHORIZING THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION AT AN ESTABLISHMENT KNOWN AS "7-ELEVEN" ON PROPERTY LOCATED AT 2475 EAST LITTLE CREEK ROAD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to 7-Eleven, Inc. authorizing the sale of beer and wine for off-premises consumption at an establishment known as "7-Eleven" on property located at 2475 East Little Creek Road. The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 215 feet, more or less, along the southern line of East Little Creek Road and 166 feet, more or less, along the western line of Azalea Garden Road; premises numbered 2475 East Little Creek Road.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the sale of alcoholic beverages for off-premises consumption shall be limited to 6:00 a.m. until 12:00 midnight, seven days per week.
- (b) This special exception shall terminate in the event of a change in ownership of the facility and may be revoked in the event of a change in the operation of the facility as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the facility shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier.

- (c) No alcoholic beverages other than those defined by state law as "beer," "wine," "wine cooler," or "low alcohol beverage cooler," shall be sold.
- (d) No alcoholic beverage having more than 21% alcohol by volume shall be sold.
- (e) No beer shall be sold in any package containing fewer than six (6) bottles or cans and no wine shall be sold in containers less than 375 ml each.
- (f) The facility shall maintain a current, active business license at all times while in operation.
- (g) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," and labeled, "Off-Premise Sale of Alcoholic Beverage" attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to any such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (h) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (i) A copy of this Special Exception ordinance and "Exhibit A" shall be available on site at all times for inspection, and a notice indicating that this Special Exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted

in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.

- (j) At all times, all temporary window signage must comply with the applicable regulations of Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992, entitled "Signs."

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause

undue traffic congestion nor draw significant amounts of traffic through residential streets;

- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That the Special Exception granted hereby amends the previously granted special exception authorizing the sale of alcoholic beverages for off-premises consumption on this property, adopted on June 12, 2012, (Ordinance No. 44,714) and all provisions and conditions previously approved are entirely superseded by the terms of this Special Exception.

Section 5:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:

Exhibit A (2 pages)



EXHIBIT "A"
Description of Operations
Off-Premises Sale of Alcoholic Beverage

Date of Application: 1/12/15
Name of business: 7-Eleven, Inc.
Address of business: 2475 E. Little Creek Rd
Name(s) of business owner(s)*: 7-Eleven, Inc.
Name(s) of property owner(s)*: Syed, Haider
Name(s) of business manager(s)/operator(s): Jay Khorram
Daytime telephone number (757): 361-3253

*If business or property owner is partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

<u>Facility</u>		<u>Alcoholic Beverage Sales</u>	
Weekday	From <u>24 hrs</u> To _____	Weekday	From <u>6am</u> To <u>12 midnight</u>
Friday	From <u>24 hrs</u> To _____	Friday	From <u>6am</u> To <u>12 midnight</u>
Saturday	From <u>24 hrs</u> To _____	Saturday	From <u>6am</u> To <u>12 midnight</u>
Sunday	From <u>24 hrs</u> To _____	Sunday	From <u>6am</u> To <u>12 midnight</u>

2. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☐ Mixed Beverage

3. Alcoholic beverages to be sold:

☒ Room temperature ☒ Refrigerated

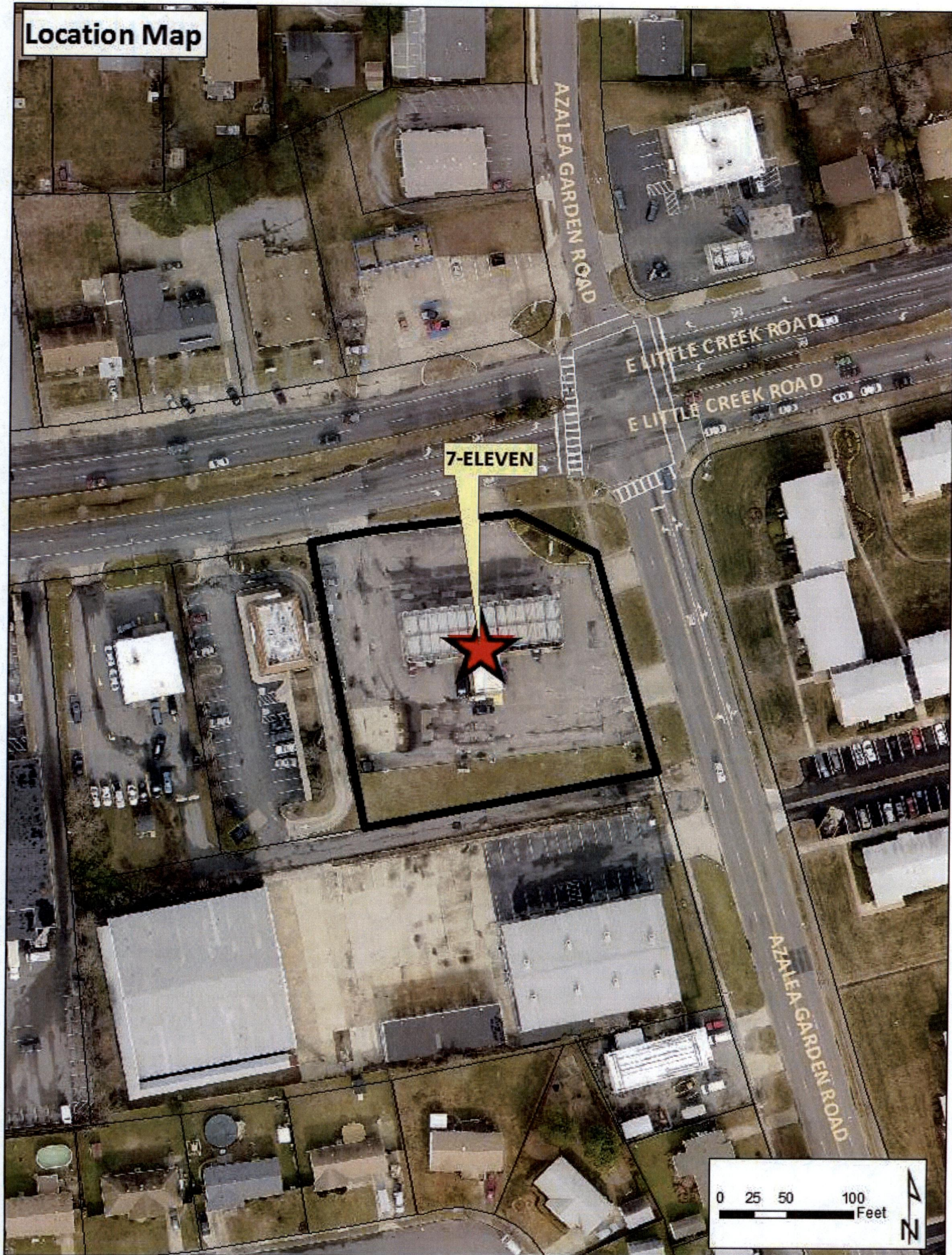
Exhibit A – Page 2
ABC-Off

4. As a general rule, the City does not approve selling beer in a single-sized serving container or selling wine in a bottle that is less than 375 milliliters. If you are seeking approval to sell servings that do not meet these criteria, please explain your justification as well as indicate what sizes you would sell:

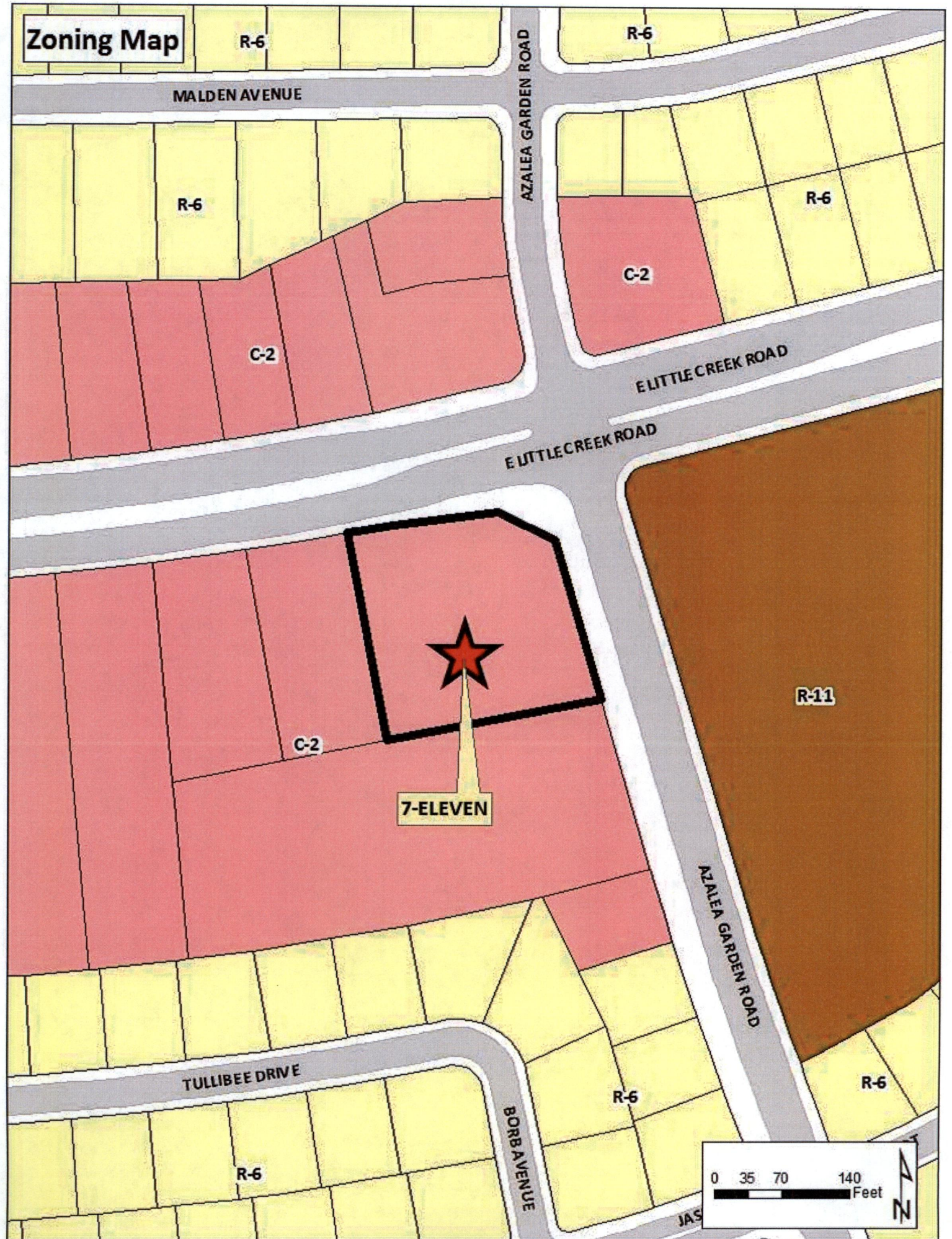
N/A

Steph R. Romane, Special Agent
Signature of applicant/owner

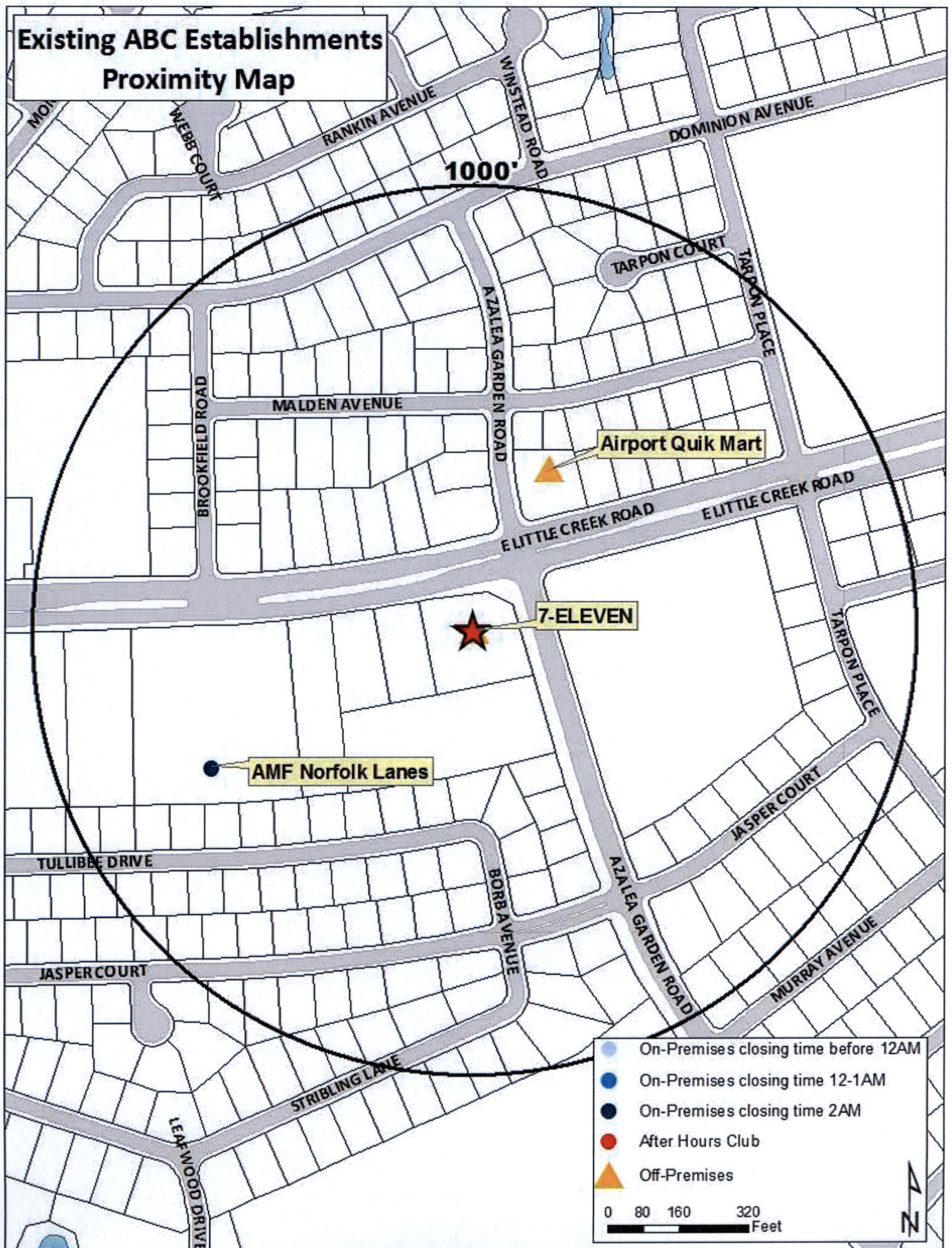
Location Map



Zoning Map



Existing ABC Establishments Proximity Map





**APPLICATION
SPECIAL EXCEPTION**

Special Exception for: Gas Sales & 24 hours

Date of application: 1/12/15

DESCRIPTION OF PROPERTY

Property location: (Street Number) 2475 (Street Name) E. Little Creek Rd

Existing Use of Property Gas Station

Current Building Square Footage 1100sf

Proposed Use 7-Eleven Convenience Store w/Gas

Proposed Square Footage 3209

Proposed Hours of Operation:

Weekday From 12am To 12am

Friday From 12am To 12am

Saturday From 12am To 12am

Sunday From 12am To 12am

Trade Name of Business (If applicable) 7-Eleven, Inc.

Application
Special Exception
Page 2

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

7-Eleven, Inc
1. Name of applicant: (Last) Khorram (First) Jay (MI) _____
Mailing address of applicant (Street/P.O. Box): 1722 Routh St, Ste 100
(City) Dallas (State) TX (Zip Code) 75201
Daytime telephone number of applicant (757) 361-3253 Fax (757) 366-0993
E-mail address of applicant: javad.khorram@7-11.com

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) Romine (First) Stephen (MI) _____
Mailing address of applicant (Street/P.O. Box): 999 Waterside Dr, Ste 2100
(City) Norfolk (State) VA (Zip Code) 23510
Daytime telephone number of applicant (757) 441-8921 Fax () _____
E-mail address of applicant: stephen.romine@leclairryan.com

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Haider (First) Syed (MI) K
Mailing address of property owner (Street/P.O. box): 741 Forest Mills Road
(City) Chesapeake (State) VA (Zip Code) 23322
Daytime telephone number of owner (757) 724-2331 email: _____

Application

DEPARTMENT OF CITY PLANNING
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January, 2015)

CIVIC LEAGUE INFORMATION

Civic League contact: East Lynne/Saratoga C.L., 'Camelia Shores C.L.

Date(s) contacted: Pam Owens 1/30/15 - ^{Attending} meeting 3/5/15 / Mary Hasse 1/30/15 + 2/9/15

Ward/Super Ward information: Ward 5 / Smigiel, Superward 6 / Ukinn

REQUIRED ATTACHMENTS:

- ✓ Required application fee, **\$355.00** (if check, make payable to the City of Norfolk).
 - Application fee includes a non-refundable \$5 technology surcharge.
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
 - Existing and proposed building structures
 - Driveways
 - Parking
 - Landscaping
 - Property lines (see attached example)
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: _____ Sign: _____ / _____ / _____
(Property Owner or Authorized Agent of Signature) (Date)

7-Eleven, Inc.
Stephen R. Romine
Print name: Special Agent Sign: Special Agent 1/12/15
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: _____ Sign: _____ / _____ / _____
(Authorized Agent Signature) (Date)

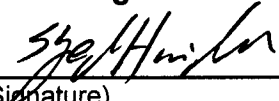
DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508
Norfolk, Virginia 23510

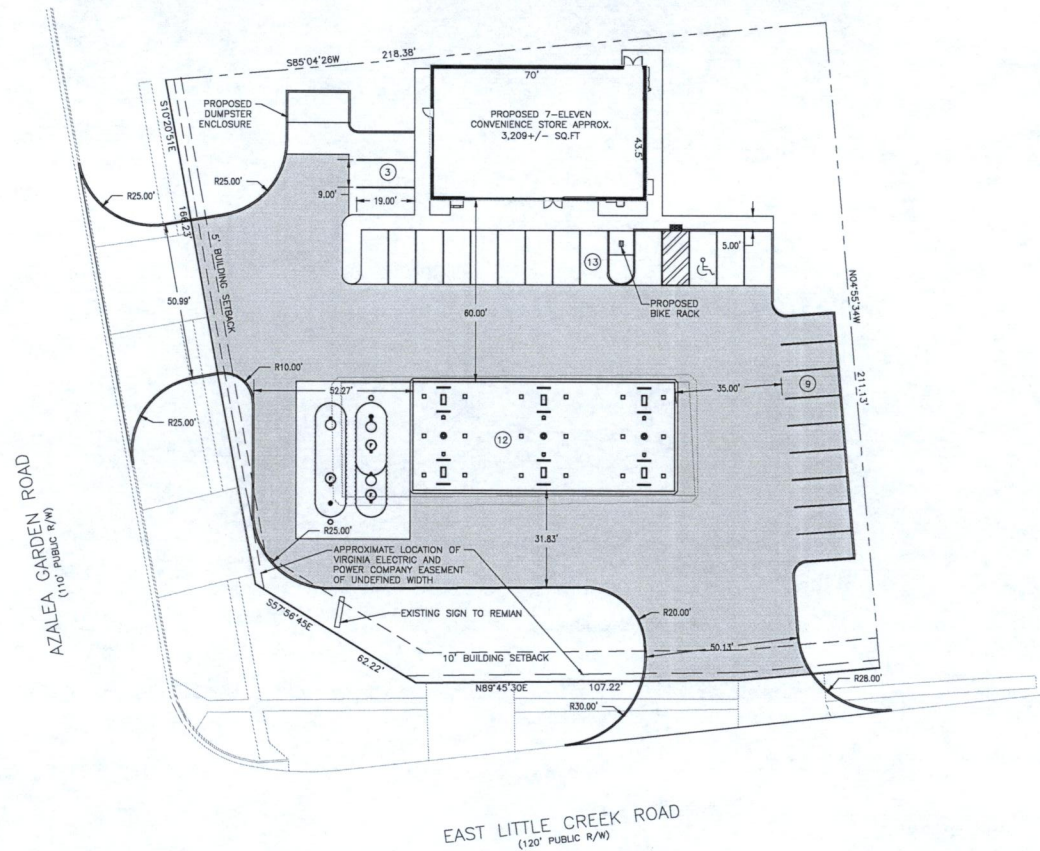
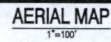
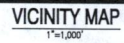
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January, 2015)

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: SYED HAIDER Sign:  01/06/2015
(Property Owner or Authorized Agent Signature) (Date)

Print name: Steve Blevins Sign:  1/8/2015
(Applicant or Authorized Agent Signature) (Date)

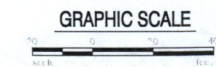


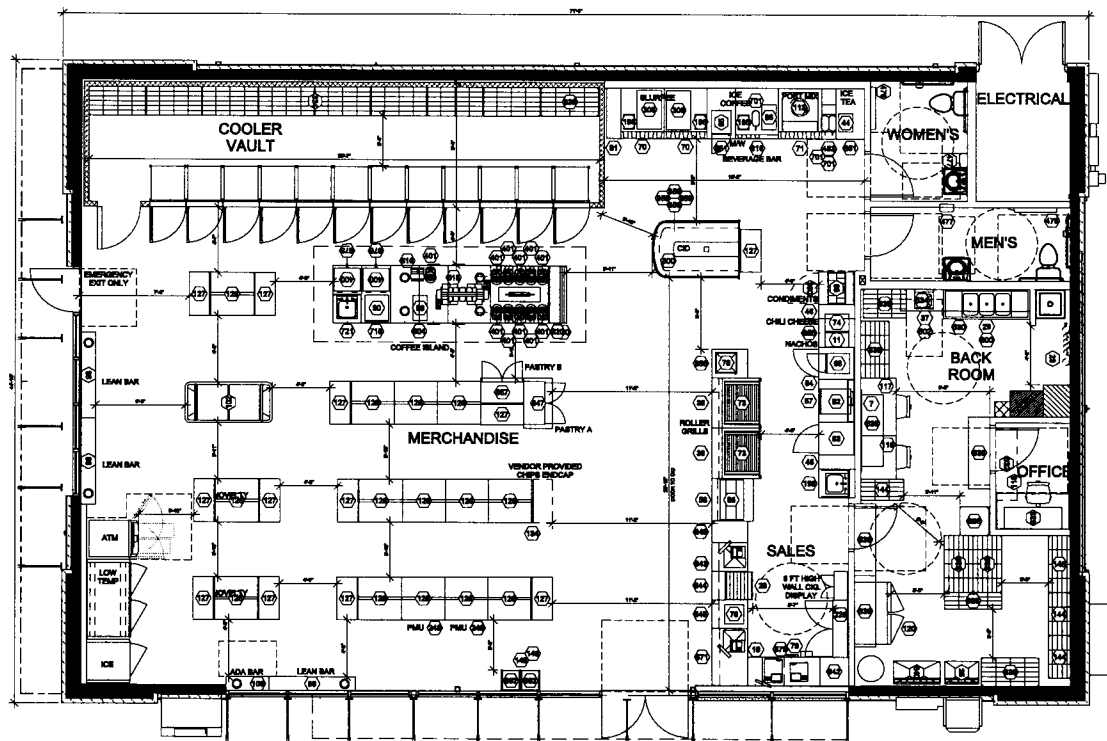
OWNER:	H & H GASCO, LLC 2475 E. LITTLE CREEK RD NORFOLK, VA 23518
DEVELOPER:	VERDAD REAL ESTATE INC. 1211 SOUTH WHITE CHAPEL BLVD. SOUTH LAKE, TEXAS 76092 CONTACT: MR. DEREK HOPKINS PHONE: 502.923.7436
DESIGNER:	BLAKEWAY CORPORATION 770 INDEPENDENCE CIRCLE, SUITE 100 VIRGINIA BEACH, VIRGINIA 23455 PH # 757-226-0081 FAX # 757-226-8785

1. THE SITE IS DESIGNED IN ACCORDANCE WITH C-2 ZONING REQUIREMENTS OF THE CITY OF NORFOLK ZONING ORDINANCE.
2. THIS CONCEPT ASSUMES THAT THERE WILL BE A REDUCTION IN IMPERVIOUS AREA AND THAT STORMWATER IMPROVEMENTS WILL BE LIMITED ON-SITE POLLUTANT REMOVAL.
3. PROPERTY LINES HAVE BEEN COMPILED FROM OLD SITE PLANS AND ARE APPROXIMATE. A COMPLETE SURVEY OF THE PROPERTY SHOULD BE OBTAINED BEFORE FINAL SITE PLAN DESIGN.
4. THIS CONCEPT WAS BASED ON THE CONCEPT PROVIDED BY VEHARD REAL ESTATE INC AND DOES NOT ACCOUNT FOR THE LOCATION OF ANY EASEMENTS THAT MAY ENCOMPASS THE PROPERTY. A COMPLETE ALIEN SURVEY OF THE PROPERTY SHOULD BE COMPLETED BEFORE FINAL SITE PLAN DESIGN.
5. SITE WILL REQUIRE A SPECIAL EXCEPTION APPROVAL FOR 24 HR SALES AND ALCOHOL SALES.



SHEET NO.	LOCATION	DATE REVISION		REV	DATE	DESCRIPTION
		3/23/15	REVISION PER OWNER			
SEP-1.0 SPECIAL EXCEPTION PLAN	LITTLE CREEK & AZALEA 7-ELEVEN SPECIAL EXCEPTION PLAN	DESIGNED BY	△			
		CHECKED BY	△			
		IN CHARGE	△			
		BY	△			
		DATE	△			
SYT #	2475 & LITTLE CREEK ROAD Norfolk, VA					





LAYOUT INFORMATION

ROLLER GRILLS	2
SANDWICH CASE	CID
VAULT DOORS	12
LOW TEMP DOORS	2
ICE MERCH. DOORS	1
NOVELTY CASE	1
BAKERY CASE	2
SLURPEE BARRELS	6

GONDOLA UNITS	29
END CAPS	11
HIGH WALLS	00
TOTAL	40

TOTAL SQ. FT.	= 3,150 SF
SALES FLOOR AREA	= 2,042 SF

GAS: YES LIQUOR: NO
BEER: YES WINE: YES

OCCUPANCY LOAD (>49) = 65
TRAVEL DISTANCE (<200) = 80'
COMMON PATH OF TRAVEL (<75) = 56'
RESTROOMS REQUIRED = 2
EXITS REQUIRED = 2

OVERHEAD SHELVES = 38 FT
FLOOR SHELVES = 33 FT

WALL TYPE LEGEND

INTERIOR WALL	=====
PARTIAL HEIGHT WALL	=====
COOLER WALL	=====



1036727 - NORFOLK, VA - LAYOUT 4

2475 E LITTLE CREEK RD
NORFOLK, VA

SCALE: 1/4"=1'-0"

TDG #14-736

APPROVED: YES ☐ NO ☒

03/20/15

Rev. #	Date	Description

Photo 08-08-14

7-ELEVEN, INC.
ONE ARTS PLAZA, 1722 SOUTH STREET, DALLAS, TEXAS 75221
7-11 #1036727
2475 E LITTLE CREEK RD
NORFOLK, VA



Job#: 14-736	Scale: AS NOTED	Date: 03/19/15	Drawn By: [Signature]	Checked By: [Signature]
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SHEET:



**APPLICATION
ADULT USE SPECIAL EXCEPTION
ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION**

Date of Application: 1/12/15

DESCRIPTION OF PROPERTY

Property location: (Street Number) 2475 (Street Name) E. Little Creek Rd

Existing Use of Property Gas Station

Current Building Square Footage 1100 sf

Proposed Use 7-Eleven Convenience Store w/Gas

Proposed Building Square Footage 3,209

Trade Name of Business (If applicable) 7-Eleven, Inc.

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

7-Eleven, Inc.

1. Name of applicant: (Last) Khorram (First) Jay (MI)

Mailing address of applicant (Street/P.O. Box): 1722 Rowth St, Ste 100

(City) Dallas (State) TX (Zip Code) 75201

Daytime telephone number of applicant (757) 361-3253 Fax (757) 366-0993

E-mail address of applicant: javad.khorram@7-11.com

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) Romine (First) Stephen (MI) _____
Mailing address of applicant (Street/P.O. Box): 999 Waterside Dr, Ste 2100
(City) Norfolk (State) VA (Zip Code) 23510
Daytime telephone number of applicant (757) 441-8921 Fax () _____
E-mail address of applicant: stephen.romine@leclairryan.com

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Haider (First) Syed (MI) K
Mailing address of property owner (Street/P.O. box): 741 Forest Mills Rd
(City) Chesapeake (State) VA (Zip Code) 23322
Daytime telephone number of owner (757) 724-2331/email: _____

CIVIC LEAGUE INFORMATION

Civic League contact: East Lynne/Saratoga C.L; Camelia Shores C.L
Date(s) contacted: _____
Ward/Super Ward information: Ward 5/Smigiel; Superward 6/Winn

REQUIRED ATTACHMENTS:

- ✓ Required application fee, **\$355.00** (if check, make payable to the City of Norfolk).
 - Application fee includes a non-refundable \$5 technology surcharge.
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
 - Existing and proposed building structures
 - Driveways
 - Parking
 - Landscaping
 - Property lines (see attached example)
- ✓ One 8 ½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.
- ✓ One 8½ inch X 11 inch copy of a floor plan drawn to scale showing where cold and/or room temperature alcoholic beverages will be sold. (see attached example).
- ✓ Completed Exhibit A, Description of Operations (attached).
- ✓ Please provide a brief description of the business (i.e., # of employees, current locations, type of restaurant, etc...).

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: _____ Sign: _____ / _____ / _____
(Property Owner or Authorized Agent of Signature) (Date)

7-Eleven, Inc.
Stephen R. Romine
Print name: Special Agent Sign: Stephen R. Romine
(Applicant) (Date) 11/12/15

ONLY NEEDED IF APPLICABLE:

Print name: _____ Sign: _____ / _____ / _____
(Authorized Agent Signature) (Date)



EXHIBIT "A"
Description of Operations
Off-Premises Sale of Alcoholic Beverage

Date of Application: 1/12/15
Name of business: 7-Eleven, Inc.
Address of business: 2475 E. Little Creek Rd
Name(s) of business owner(s)*: 7-Eleven, Inc.
Name(s) of property owner(s)*: Syed, Haider
Name(s) of business manager(s)/operator(s): Jay Khorram
Daytime telephone number (757): 361-3253

*If business or property owner is partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

<u>Facility</u>		<u>Alcoholic Beverage Sales</u>	
Weekday	From <u>24 hrs</u> To _____	Weekday	From <u>6am</u> To <u>12 midnight</u>
Friday	From <u>24 hrs</u> To _____	Friday	From <u>6am</u> To <u>12 midnight</u>
Saturday	From <u>24 hrs</u> To _____	Saturday	From <u>6am</u> To <u>12 midnight</u>
Sunday	From <u>24 hrs</u> To _____	Sunday	From <u>6am</u> To <u>12 midnight</u>

2. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☐ Mixed Beverage

3. Alcoholic beverages to be sold:

☒ Room temperature ☒ Refrigerated

Exhibit A – Page 2
ABC-Off

4. As a general rule, the City does not approve selling beer in a single-sized serving container or selling wine in a bottle that is less than 375 milliliters. If you are seeking approval to sell servings that do not meet these criteria, please explain your justification as well as indicate what sizes you would sell:

N/A

Steph R. Romane, Special Agent
Signature of applicant/owner



ARCHITECT/ENGINEER
K2M
 Architecture, Interior Design,
 Owner Representation,
 Specialty Consulting,
 Asset Management
 5500 West Walsh Lane
 Rogers, Arkansas 72758
 Tel: 479-802-5505
 Fax: 479-802-2798
 Email: info@k2mdesign.com
 URL: www.k2mdesign.com
 Building Relationships
 Based on Trust and Results
 Client: City of Little Rock - Conway
 Services: Architecture

Seal:
 FOR REPRESENTATION ONLY

Consultants:
 MEP ENGINEER:
 STRUCTURAL ENGINEER:
 CIVIL ENGINEER:
 FIRE PROTECTION ENGINEER:
 LANDSCAPE ARCHITECT:

Submissions:
 1
 2
 3
 4
 5
 6
 7
 8
 9
 10

7-ELEVEN SITE NO. 1036727
 2475 E. LITTLE CREEK RD.
 NORFOLK, VA 23518
VERTICAL CONSTRUCTION
 1211 SOUTH WHITE CHAPEL BOULEVARD,
 SOUTHLAKE, TEXAS 76092



Client Site/Store #: 1036727
 Drawing Size: 24 x 36 Project #: 14190
 Drawn By: GCM Checked By: JGP
 Title: REVIEW BOARD PERSPECTIVE RENDERING

Sheet Number: RB-P

Date: 10/27/2015
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City of NORFOLK

February 3, 2015

Pam Owens
President, East Lynne/Saratoga Civic League
7818 Borb Avenue
Norfolk, VA 23518

Dear Ms. Owens,

The Planning Department has received applications for the following special exceptions on behalf of 7-Eleven on property located at 2475 East Little Creek Road:

- a. For the operation of a convenience store, 24-hours (with fuel sales).
- b. For the sale of alcoholic beverages for off-premise consumption.

These requests are tentatively scheduled for the February 26, 2015 City Planning Commission public hearing.

Summary

These requests would allow the construction of a new 7-Eleven gas station and convenience store, including off-premises alcoholic beverages for sale.

	Current (Fas Fuel)	Proposed (7-Eleven)
Hours of Operation	6:00 a.m. until 12:00 midnight, Seven days a week	24-hours a day, Seven days a week
Hours for the Sale of Alcoholic Beverages for Off-Premise Consumption	6:00 a.m. until 12:00 midnight, Seven days a week	Same

If you would like additional information on the request, you may contact the applicant, Steve Blevins at (757) 226-0081, or you may contact me at (757) 823-1253, or chris.whitney@norfolk.gov. A copy of the complete application is enclosed.

Sincerely,

Chris Whitney
City Planning Technician

cc: James Herbst, Senior Neighborhood Development Specialist
james.herbst@norfolk.gov or (757) 823-4289
Councilman Smigiel at Thomas.smigiel@norfolk.gov
Councilman Winn at Barclay.winn@norfolk.gov

February 3, 2015

Mary Haas
President, Camellia Shores Civic League
4076 Heutte Drive
Norfolk, VA 23518

Dear Ms. Haas,

The Planning Department has received applications for the following special exceptions on behalf of 7-Eleven on property located at 2475 East Little Creek Road:

- a. For the operation of a convenience store, 24-hours (with fuel sales).
- b. For the sale of alcoholic beverages for off-premise consumption.

These requests are tentatively scheduled for the February 26, 2015 City Planning Commission public hearing.

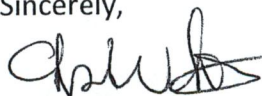
Summary

These requests would allow the construction of a new 7-Eleven gas station and convenience store, including off-premises alcoholic beverages for sale.

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Hours of Operation	6:00 a.m. until 12:00 midnight, Seven days a week	24-hours a day, Seven days a week
Hours for the Sale of Alcoholic Beverages for Off-Premise Consumption	6:00 a.m. until 12:00 midnight, Seven days a week	Same

If you would like additional information on the request, you may contact the applicant, Steve Blevins at (757) 226-0081, or you may contact me at (757) 823-1253, or chris.whitney@norfolk.gov. A copy of the complete application is enclosed.

Sincerely,



Chris Whitney
City Planning Technician

cc: James Herbst, Senior Neighborhood Development Specialist
james.herbst@norfolk.gov or (757) 823-4289
Councilman Smigiel at Thomas.smigiel@norfolk.gov
Councilman Winn at Barclay.winn@norfolk.gov